

### REMARKS

In order to comply with the request of the examiner, the following modifications have been introduced into the disclosure:

1. The title has been modified to **Concave Playing Surfaces**
2. The dimensions expressed in metric units have also been expressed in the English system.
3. 35 USC 112 - A new set of claims has been provided. It is believed that all issues of improper form, indefiniteness and clarity have been resolved.

4. Anticipation of claims by US Patent 5,398,926 (Skinner) -

The Examiner wrote:

...Skinner notes on column 2, lines 8-26, that Soviet patent number 1,556,699 discloses a table tennis top capable of being used in the water and includes a concave playing surface and a net.

Even if one assumes that the surface in RU 1,556,699 is concave, the invention of new claim 11 is still not anticipated because the Soviet Patent does not disclose all of the recitations of claim 11. Specifically, both US 5,398,926 and RU 1,556,699 do not disclose a surface comprising a cylindrical crown having a dihedral angle ( $\alpha$ ) formed by two planes ( $p'$  and  $p''$ ) that contain the central axis of the crown and one or the other of the long edges. This recitation of claim 11 is simply missing from the cited art. For this reason alone claim 11 and all claims dependent therefrom (12-30) are not anticipated by the cited art.

The ground of rejection by the examiner is that the invention is anticipated by Soviet Patent # 1,556,699, quoted by US Patent 5,398,926 as having a concave surface. However, upon translation of the text of said patent by a Russian-American bilingual scientist, it appears that in the middle of column 2 of said patent, it is written: "*The surface (object n 2 in figure n 1) has a spherical form.*" and that in the end of column 4 of said patent it is written: "*The whole object differs from the other existing ones, because the surface is spherical.*" Thus, the Soviet Patent only evokes a possible spherical form for the surface of that table, without specifying if it is convex or concave and without specifying what portions of the surface are spherical. Further to this, from the drawings illustrating the invention disclosed by Soviet Patent # 1,556,699, the tables do not appear to have a curved surface. It is thus impossible to tell how that surface is

concave (if indeed it is) and to what degree and what portions of the surface. The applicant is left in the impossible position of having to distinguish over the prior art where the prior art gives no details.

Furthermore, dependent claims 13-20 and 22-30 recite dimensions for various features of the invention. Nowhere in the cited art are these dimensions disclosed. Therefore, these claims are further distinguished from the cited art.

5. Obviousness of claims by US Patent 5,398,926 (Skinner) - As noted above, Skinner fails to teach or suggest all of the recitations of independent claim 1 as well as those of dependent claims 13-20 and 22-30. There is nothing in Skinner, RU 1,556,699 or their combination that makes up for that lack. Therefore, the applicant's invention is not obvious in light of the prior art.

6. The inventors have examined all the literature sent by the examiner and did not find disclosures which can be thought of as anticipating the invention. With no outstanding issues remaining, timely allowance of claims 11-30 is requested.

Date: May 5, 2004

*Paolo Giacomoni*

Paolo Giacomoni

Phone: 631-531-1238